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In re Application of :  
Kemmons A. Tubbs :  
Application No. 10/710,989 :  
Filed: August 16, 2004 :  
Attorney Docket No. 41821.0917 :  
NOTICE

This is in response to the petition under 37 CFR 1.28 filed by facsimile transmission on September 18, 2006, which is being treated as a Request under 37 CFR 1.27(c) seeking status as a small entity.

The statement claiming small entity status has been made of record and small entity status has been accorded. Therefore, the large entity issue fee payment of \$1,400, filed June 16, 2006, will be reduced by half, leaving a refund of \$700 to be credited to petitioner's deposit account, as authorized.

The application file is being referred to Files Repository.

*Andrea Smith*  
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Petitions Examiner  
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